



**WATFORD
BOROUGH
COUNCIL**

DEVELOPMENT MANAGEMENT COMMITTEE

8 January 2020

7.00 pm

Town Hall

Contact

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For further information about attending meetings please visit the council's [website](#).

Publication date: 20 December 2019

Committee Membership

Councillor P Jeffree (Chair)

Councillor S Johnson (Vice-Chair)

Councillors N Bell, K Collett, F Ezeifedi, K Hastrick, M Mills, I Sharpe and M Watkin

Agenda

Part A – Open to the Public

- 1. Apologies for absence**
- 2. Disclosure of interests**
- 3. Minutes**

The [minutes](#) of the meeting held on 16 December 2019 to be submitted and signed.

CONDUCT OF THE MEETING

The committee will take items in the following order:

1. All items where people wish to speak and have registered with Democratic Services.
 2. Any remaining items the committee agrees can be determined without further debate.
 3. Those applications which the committee wishes to discuss in detail.
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- 4. 19/01053/FUL 21 Hare Crescent (Pages 6 - 15)**

Demolition of existing dwelling house and garage, and erection of two 3 bedroom dwelling houses with associated external works and landscaping.

- 5. 19/00832/FULH 151 Queens Road (Pages 16 - 24)**

Erection of a two storey rear extension and loft conversion with rear dormer, rear skylight, front skylight and internal alterations.
- 6. 19/00639/FULH 29 Orchard Drive (Pages 25 - 33)**

Erection of rear and side extension (amended plans dated 31.10.19).

7. 19/00835/FULM 99 St Albans Road (Pages 34 - 65)

Complete removal of the existing building and associated boundary walls to the north and south. Change of use to develop a mixed use scheme, including 21 flats, proposed coffee house and estate agent.

Introduction

Please note that the officer report is a summary of the issues including representations made and consultation responses. Full details of the applications, plans submitted, supporting information and documents, representations made, consultation responses and correspondence can be found on the council's web based [Public Access system](#) using the application reference or address.

Specific policy considerations for each application are detailed within the individual reports. The background papers and policy framework listed below have been relied upon in the preparation of the reports in this agenda.

Background papers

- The current planning applications under consideration and correspondence related to that application.
- All relevant third party representations and consultation replies received.

Policy Framework

- The Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance listed below:

Local Planning Documents

Local Development Documents provide the framework for making planning decisions. These can be found on the Council's [website](#) and include:

- the existing Local Plan which consists of the Core Strategy, saved policies in the Watford District Plan 2000 and Proposals Map); and
- Supplementary Planning Documents.

County Planning Documents

The Hertfordshire Waste Local Plan and Minerals Local Plan prepared by Hertfordshire County Council are material considerations alongside the Watford Local Plan. These documents can be found on the county council's [website](#).

National Planning Documents

Key legislation can be found using this [weblink](#), including:

- Growth and Infrastructure Act (2013)
- Housing and Planning Act (2016)

- Localism Act (2011) and subsequent amendments
- Planning Act (2008) and subsequent amendments
- Planning and Compulsory Planning Act (2004) and subsequent amendments
- Town and Country Planning Act (1990) and subsequent amendments
- Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequent amendments.

National guidance can be found on the government service and information [website](#), including:

- National Planning Policy Framework (revised February 2019) and supporting Technical Guidance
- Planning Practice Guidance (PPG) (web based)
- Planning policy for traveller sites
- Relevant government circulars
- Relevant Ministerial Statements (which will be referred to in the individual reports as necessary)

Section 106 Planning obligations and Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council's Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children's play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted where relevant. Section 106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants.

Human Rights implications

The Local Planning Authority is justified in interfering with the applicant's human rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party human rights, these are not considered to be of such a nature and degree as to override the human rights of the applicant and therefore warrant refusal of planning permission.

Agenda Item 4

Committee date	Wednesday 8 January 2020
Application reference	19/01053/FUL
Site address	21 Hare Crescent
Proposal	Demolition of existing dwelling house and garage, and erection of two 3 no. bedroom dwelling houses with associated external works and landscaping.
Applicant	Mr M Tolia
Agent	Home Plans
Type of Application	Minor Dwelling
Reason for committee Item	4 or more planning objections received
Target decision date	Extended by agreement to 20 th December 2019
Statutory publicity	Not required
Case officer	Paul Baxter paul.baxter@watford.gov.uk
Ward	Woodside

1. Recommendation

Grant planning permission subject to conditions detailed in section 8 of the report.

2. Site and surroundings

- 2.1 The site is a detached house with a detached single storey garage to the side. There is a public footpath along the garage boundary. The plot is roughly rectangular in shape.
- 2.2 The area is predominately residential in character with semi-detached dwellings with attached garages. There are some detached dwellings within the street.
- 2.3 A footpath runs immediately adjacent to the site on the northern boundary leading to the residential properties of Stud Green and Weall Green to the east.
- 2.4 The site is located in Flood Zone 1 with a low probability of flooding. The subject building is not listed or located in a designated conservation area. No trees on site are protected by a tree preservation order.

3 Summary of the proposal

3.1 Proposal

- 3.2 This application seeks approval for the demolition of the existing dwelling house and garage, and erection of two 3 no. bedroom dwelling houses with associated external works and landscaping.

4. Conclusion

- 4.1 The proposal would make more efficient use of land and would meet the policies within the development plan.
- 4.2 The development would fit into the character and context of the area, being residential and semi-detached form and two storey in height.
- 4.3 The development would provide sufficient on-site parking and would not create adverse impact to highway safety or adverse harm to the amenities of residential occupiers to the adjoining neighbours of the site.

5. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

6. Relevant site history/background information

<u>App Number</u>	<u>Proposal</u>	<u>Status</u>	<u>Decision Date</u>
93/00005/FUL	Single storey rear and side extension and two-storey side extension.	COND	18.02.1993

7. Main considerations

- 7.1 The main issues to be considered in the determination of these applications are:

- (a) Principle of use
- (b) Design and layout
- (c) Access, parking and traffic generation
- (d) Impact on neighbouring properties
- (e) Environmental matters

7.2 (a) Principle of use

The site is within a residential area and the principal of residential development is acceptable.

7.3 (b) Design and layout

The proposed design would be a pair of semi-detached properties with a hipped and pitched roof. The proposal would give a symmetrical appearance to the front elevation, with the entrances and the window detailing. Although, there will be some element of a crown roof, this would be set down from the main gable design and would appear as a subservient design element to the building.

- 7.4 The proposal includes landscaping and car parking to the front of the proposed houses. This would further add to the overall design being in keeping with the

character of the street.

7.5 (c) Access, parking and traffic generation

i) *Access*

The existing access arrangement to the site would not be altered. This would be split to give each of the new dwellings their own access off the highway.

7.6 ii) *Parking*

The application proposes to provide two car parking spaces for each dwelling.

7.7 The Watford District Plan 2000 identifies the site within Zone 4 of the Car and Cycle Parking Zone Map. As set by 'saved' Policy T22 and Appendix 2 of the plan, the maximum parking provision for the proposed site, based on the size of the dwellings, would be 2 car parking spaces. The proposed provision of 2 spaces per dwelling would not be in excess of the maximum guidance.

7.8 The County Council as the Highway Authority have raised no objection subject to a condition to secure the vehicular cross-overs.

7.9 (d) impact on neighbouring properties

The immediate context of the site is of a residential nature. Comments have been received regarding noise and dust and loss of privacy to neighbours.

i) *23 Hare Crescent*

7.10 23 Hare Crescent is located to the south of the proposal. The new building will come close to the common boundary but extends approximately 0.6m beyond the rear elevation of number 23 and would be set in from the common boundary by 2.3m. Considering these separation distances the proposal would not breach the vertical or horizontal 45 degree line and therefore would not have any significant impact upon this property through loss of light or outlook.

7.11 A landing window in this elevation is proposed. As it is not serving a habitable area, a condition requiring the window to be obscure glazed and fixed shut up to 1.7m above internal floor level is proposed to mitigate any potential loss of privacy to this neighbour.

ii) *19 Hare Crescent*

7.12 Number 19 is located to the north of the site. This property benefits from a single storey side extension and there is a public foot path between the two properties. It is considered that due to the separation distance the proposal will not have any significant impact upon this neighbour through loss of light or outlook.

7.13 A side facing window is proposed, which will serve a landing area and therefore a condition is recommended for this window to be obscure glazed and fixed shut up to 1.7m above internal floor level.

iii) *37 and 39 Stud Green*

- 7.14 The properties to the rear of the site have rear facing windows. The proposed development would have a separation distance of 11.3m from the proposed first floor window to the rear boundary and approximately 30m building to building relationship. This would be in accordance with the Residential Design Guide and would be considered acceptable, as to not have a harmful impact on these neighbours through loss of light, privacy or outlook.
- 7.15 With regards to the comments relating to noise and disturbance and dust, this would be controlled by Environmental Health legislation and therefore would not be reasonable planning grounds for refusal. An informative is attached regarding the construction hours.

7.16 (e) Environmental matters

i) *Waste and recycling*

The Waste Authority has made no comment and it is considered that there is adequate room on site to accommodate the waste and recycling and therefore a condition is proposed to show the location and structure for this.

ii) *Trees and landscaping*

There are no protected trees on site and no trees of individual value meaning that the loss of trees is acceptable to allow the development. A landscaping scheme is required by condition to secure replacement trees and landscaping.

8. Consultation responses received

8.1 Statutory consultees and other organisations

Consultee	Comment Summary	Officer Response
HCC Waste And Minerals	No comment	Noted
HCC Highways	Initially raised an objection to the two crossovers as they have been used for some time without Highway Authority permission	Noted. The Highway officer has provided additional comments on the proposal and suggested a condition and informatives.
Rights of Way	No comment received.	Noted.

8.2 Interested parties

Letters were sent to 9 properties in the surrounding area. Five objections have been received. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Dust and noise	This is noted. The site contractors would need to follow other environmental legislation regarding dust and noise and

	would need to adhere to these, it would be unreasonable to withhold planning permission on these grounds.
On street car parking and construction traffic	The site is outside a controlled parking zone and any legal vehicle can park on this street and therefore the on street parking by contractors would be lawful. It would be unreasonable to withhold planning permission on these grounds.
Side windows leads to loss of privacy	This is assessed in the “impact on neighbouring properties” section however these would need to be conditioned to be obscure glazed and fixed shut below 1.7m, measured from internal floor level.

9.0 Community Infrastructure Levy and planning obligations

9.1 Community Infrastructure Levy (CIL)

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. The CIL charge covers a wide range of infrastructure as set out in the Council’s Regulation 123 list, including highways and transport improvements, education provision, youth facilities, childcare facilities, children’s play space, adult care services, open space and sports facilities. CIL is chargeable on the relevant net additional floorspace created by the development. The charge is non-negotiable and is calculated at the time that planning permission is granted. The CIL charge applicable to the proposed development is £120m² (index-linked).

9.2 S.106 planning obligation

The Council introduced the Community Infrastructure Levy (CIL) with effect from 1 April 2015. On and from this date, s.106 planning obligations can only be used to secure affordable housing provision and other site specific requirements, such as the removal of entitlement to parking permits in Controlled Parking Zones and the provision of fire hydrants. There is no requirement for a planning obligation in this case.

10. Recommendation

That conditional planning permission be granted subject to the conditions listed below:

Conditions

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and

Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:

2072/3B Site Location Plan
2072/10 Proposed plans and elevations
2072/1 Existing plans and elevations

Reason: For the avoidance of doubt as to what has been permitted and in the interests of proper planning.

3. No part of the development shall be occupied until full details of hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.

Reason: In the interests of the visual appearance of the site and the wider area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

4. No external facing materials shall be installed on the approved dwellings until full details and samples of all the materials to be used for the external surfaces have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual appearance of the dwellings and the character and appearance of the area, in accordance with Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

5. Prior to occupation of the new dwellings, the vehicular cross-overs and car parking spaces shall be installed in full in accordance with approved drawing nos. 2072/3B and 2072/10.

Reason: To ensure that sufficient on-site parking is provided in accordance with saved Policy T22 of the Watford District Plan 2000 and Policies T2 and SS1 of the Watford Local Plan Core Strategy 2006-31.

6. Before being brought in to use the new parking areas and the access road hereby approved shall be surfaced in durable bound material and

arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge on to the highway.

Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety.

7. The first floor windows in the north and south side elevation (as shown on the proposed plan and elevation of approved drawing no. 2072/10) shall be installed and retained with obscure-glazing, and shall be non-opening other than in parts of the windows which are more than 1.7 metres above the internal floor level of the room in which the window is installed.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises pursuant to Policy UD1 of the Watford Local Plan Core Strategy 2006-2031 and the Residential Design Guide 2016.

8. Prior to the occupation of the dwellings hereby approved, full details of refuse, recycling and cycle storage facilities shall be submitted to and approved in writing by the local planning authority. The storage facilities shall be retained at all times thereafter.

Reason: In the interests of the visual appearance of the site and to ensure adequate facilities are provided for future occupiers.

9. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (and any order revoking and re-enacting that order) no additional ground or first floor windows or doors shall be inserted in the north side elevation or the south side elevation of the dwellings hereby permitted.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

Informatics

IN907 Consideration of proposal in a positive and proactive manner

IN910 Building Regulations

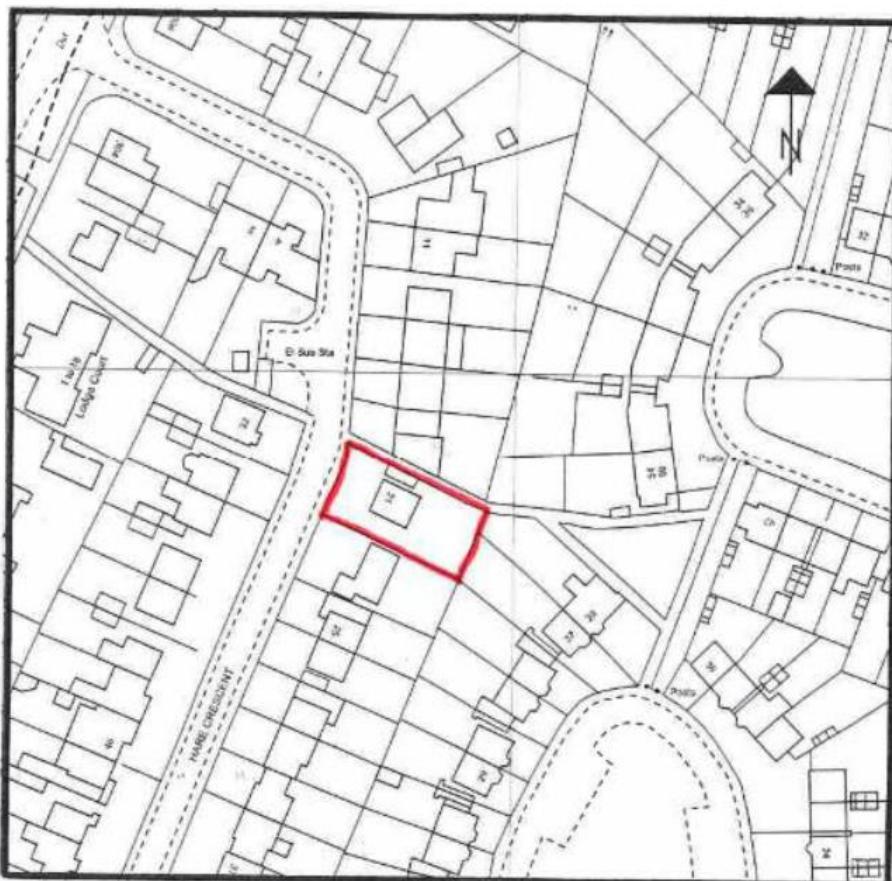
IN912 Hours of Construction

IN903 Demolition

IN911 Party Wall Act

IN913 Community Infrastructure Levy Liability

Highway informatics



SITE LOCATION 1:1250

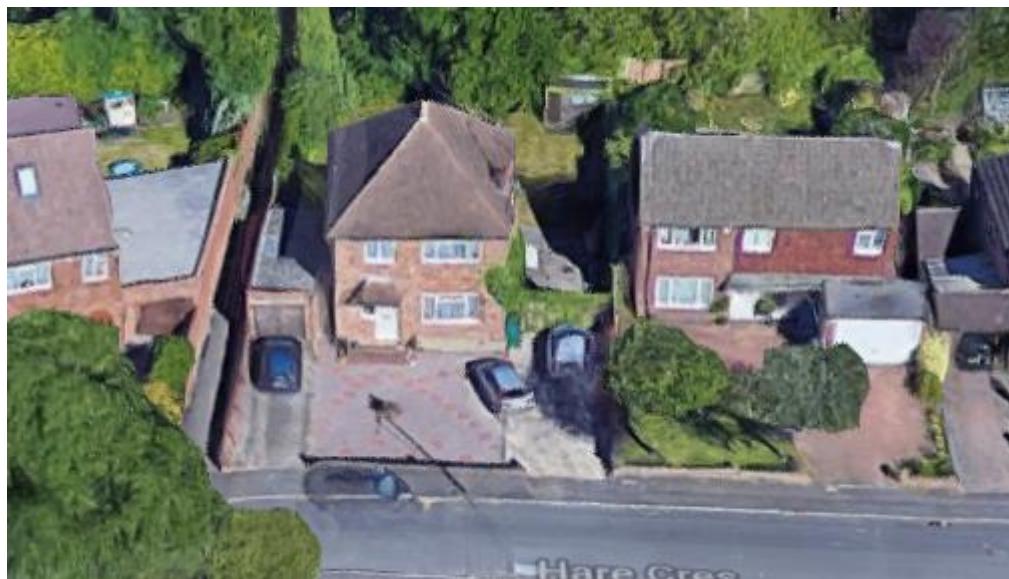
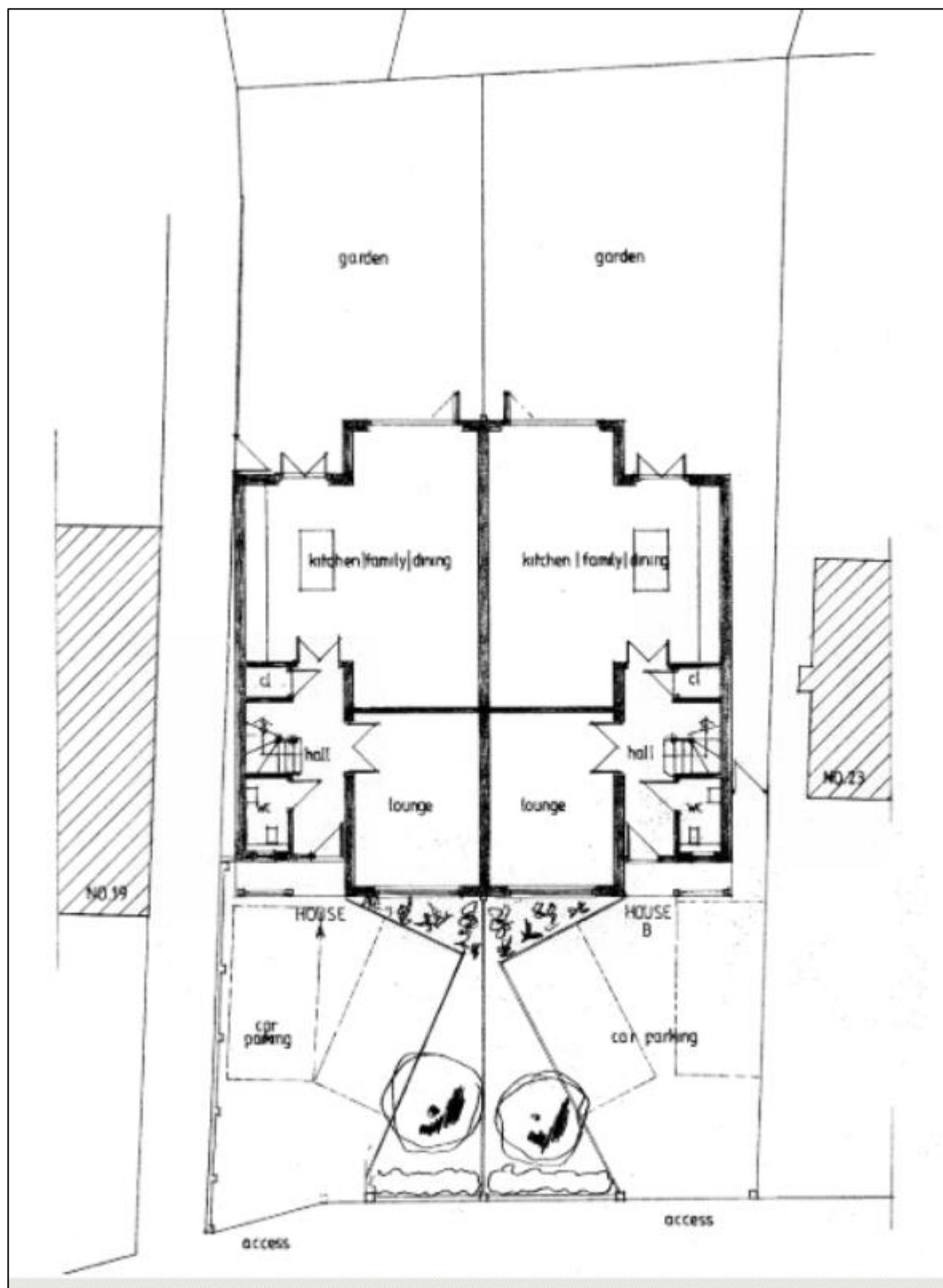


Image from Google Earth



Proposed ground floor layout



FIRST FLOOR PLAN



FRONT VIEW

Agenda Item 5

Committee date	Wednesday 8 January 2020
Application reference	19/00832/FULH 151 Queens Road Watford WD17 2QH
Site address	
Proposal	Erection of a two storey rear extension and loft conversion with rear dormer, rear skylight, front skylight and internal alterations
Applicant	Lewis Investments
Agent	Steene Associates (Architects) Ltd
Type of Application	Householder planning permission
Reason for committee Item	5 objections received
Target decision date	17 th December 2019
Statutory publicity	Conservation Area Site Notice and paper advertisement
Case officer	Alice Reade, alice.reade@watford.gov.uk
Ward	Central;

1. Recommendation

Grant planning permission subject to conditions detailed in section 8 of the report.

2. Site and surroundings

- 2.1 No. 151 is a mid terrace two storey house with basement. The property is one of a terrace of three properties positioned opposite the junction of Queens Road with Sutton Road. The adjoining dwelling No. 149 has a two storey rear element to a depth of 6m on the southern boundary of No. 151. No. 153 is adjoining to the north. The three gardens of the terrace back onto the parking area of the adjacent flat building. There are no previous extensions to the application property.
- 2.2 The site is within the Estcourt Conservation Area and this area and the street scenes of Queens Road and Sutton Road opposite are characterised by predominantly two storey Victorian terraces. There are also two modern 3 storey flatted buildings within the immediate area.

3. Summary of the proposal

3.1 Proposal

- 3.2 Proposed double storey rear extension to 4.5m deep. Conversion of roof into habitable space with one rear dormer (1.2m high and 1.6m width), 1 roof light

in the rear roof and 1 roof light to the front roof slope.

3.3 Conclusion

The scale and design of the two storey extensions are appropriate for the building and would not create harm to the character or appearance of the Conservation Area. The extensions would not create undue harm to the amenities of the neighbouring properties.

The reasons for the previous refused application have been fully addressed and approval of this application is recommended.

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 19/00283/FUL Proposed double storey rear extension, conversion of roof into habitable space with dormers to the front and rear. Refused Planning Permission. Reasons:
1. The proposed development would be of unacceptably poor design. The proposed introduction of a front dormer would be incongruous to the street scene. Both the front and rear dormers would be of a width, height and projection excessive to the roof and would result in dominant additions. The size and position of the dormers would unacceptably change the roof shape of the building and would fail to relate to the fenestration of the lower floors of the building. The dormers size, position and design would be contrary to guidance of sections 8.2, 8.3 and 8.12 of the Residential Design Guide 2016. As such, the front and rear dormers would be harmful to the character and appearance of the building,
 2. street scene and the Estcourt Conservation Area and the development is contrary to Policies UD1, UD2 and SS1 of the Watford Local Plan Core Strategy 2006-31.
 3. The proposed development would unacceptably harm the amenities of the neighbouring occupiers. The two storey rear extension would infringe the 45 degree lines on plan and elevation from the nearest habitable room window/glazed door of the neighbouring property at No. 153 Queens Road. The two storey extension would also have a depth of 6m relative to No.153 and is positioned to the south of this neighbour. The two storey

extension would therefore result in unacceptable loss of daylight and outlook to No.153 and present an overshadowing and overbearing impact to the property and garden. Being closer to No.153, the impact of this extension would unacceptably worsen the existing impacts presented from the existing two storey rear projection of No.149. As such, the proposed development would adversely affect the residential amenities of the neighbouring occupiers, contrary to Policies SS1 and UD1 of the Watford Local Plan Part 1 Core Strategy 2006-31 and sections 8.4 and 8.5 of the Residential Design Guide 2016.

6. Main considerations

- 6.1 The main issues to be considered in the determination of these applications are:
 - (a) Scale, design and impact on Conservation Area
 - (b) Impact on surrounding properties
- 6.2 (a) Scale, design and impact on Conservation Area
The Residential Design Guide (RDG) states that two storey rear extensions should generally not exceed a depth of 3m on a terrace house. The proposed two storey rear extension, at 4.5m would be significantly in excess of this guidance, however it would be sited adjoining the existing 6m two storey rear projection of the adjoining terrace No. 149. The existing two storey projection at No. 149 has a monopitch roof which leaves a tall boundary wall adjacent to No. 151. The addition of the two storey extension at No. 151 would balance against the existing structure, creating a dual pitch roof over the two elements and reducing the eave height of the roof to be in keeping with No. 151. Therefore, owing to the site circumstance and the existing two storey element, the 2 storey rear extension proposed would not create notable harm to the amenity of the site or surroundings or the Conservation Area.
- 6.3 Section 8.12 of the RDG states that dormers should have a width and height no more than 50% of the width and height of the roof, a minimum set up and set down of 50cm from the eaves and ridge should be maintained and the dormers should be aligned to the position, size and style of windows on the building. The rear dormer would have a width and height compliant with this guidance. The set down from the ridge, of 25cm, is below the 50cm guidance however owing to the modest overall scale of the dormer, the overall appearance would be comfortable.
- 6.4 The position of the dormer in relationship to the roof and building is now also acceptable. The dormer would not straddle the original boundary of the roof

and would be comfortable and appropriate to the roof form of the terraces. The roof light in the rear roof slope is also appropriate for the rear roof slope.

- 6.5 One roof light is proposed in the front roof slope. This one roof light is appropriate for the roof and roofscape. The size and position of the rooflight relates well to the first floor front window and is of a appropriate scale and position.
- 6.6 **(b) Impact on surrounding properties**
Section 8.4 of the RDG states that extensions should not infringe upon the 45 degree lines taken on plan and elevation from the adjacent habitable room windows. The RDG also states that two storey rear extensions to terrace houses are unlikely to be acceptable beyond 3m.
- 6.7 The depth of the two storey rear extension has been reduced from 6m as previously refused to 4.5m. This depth is acceptable in design terms due to the site circumstances and as discussed in section 6.2 of this report. The reduced depth also now has an acceptable relationship with the neighbouring property at No. 153. Specifically, the 4.5m deep extension would not infringe the 45 degree lines on plan or elevation from the nearest habitable room window/glazed door of the neighbouring property at No. 153.
- 6.8 The proposed extension at No. 151 would be nearer to the neighbour at No. 153 than the existing 6m deep extension at No. 149. However, the extension is at a reduced depth and remains set in from the boundary. For this reason it is not considered that this would notably worsen the overshadowing and overbearing impact to No. 153.
- 6.9 The proposed dormer would be aligned to the first floor window and would not create increased overlooking to the neighbouring garden.
- 6.10 As such, the proposed development would not adversely affect the residential amenities of the neighbouring occupiers.
- 6.11 Conclusion
The depth of the two storey rear extension would be beyond RDG guidance however as this sits adjoining the large extension of No. 153, this would be appropriate in scale in this instance. The design of the dormer and roof lights for the loft conversion are also appropriate in scale and design for the building and the Conservation Area. The development would therefore acceptable in accordance with the RDG and would not create harm to the appearance of the building or the Conservation Area.

- 6.12 The 4.5m depth of the two storey rear extension has an appropriate relationship to No. 153 and would not create undue harm to amenity. The development would not create undue harm to any neighbouring occupiers.
- 6.13 The amended plans also have removed the second kitchen formally shown in the basement 'play room' and consistently shown the building as one dwelling.

7. Consultation responses received

7.1 Statutory consultees and other organisations

None

7.2 Internal Consultees

Conservation Officer: Verbal advice given and summarised by case officer

Initial objection -

The 2 roof lights in the front roof slope are excessive. In the conservation area, one front roof light would be appropriate on a roof of this size and it should be positioned aligned to the existing windows. The position of the rear dormer is unacceptable. This sits over the roof parapet and would not respect the form of the building/s.

Amended plans received to reduce dormer so this doesn't overlap the boundary of the roof and front roof light amended as per Conservation officer advice.

Re-consultation – amendments have overcome objection.

7.3 Interested parties

Letters were sent to 3 properties in the surrounding area. Responses have been received from 5 properties. The main comments are summarised below, the full letters are available to view online:

Objection comment	Officer comments
The front dormer is out of keeping with the street scene and Conservation Area.	Agreed and this was refused under the previous application. There is no front dormer in this new application.
The rear window in the two storey	This is an acceptable relationship

extension would overlook the garden of the adjacent property	within a residential area and would not create unreasonable overlooking.
The extension depth is more than RDG guidance of 3m	As discussed in the report, this is acceptable in design terms due to the existing outrigger at No149. The 4.5m depth also has an acceptable relationship with the windows of No153 and would not worsen the impact to them. As such, the depth in excess of guidance is not harmful in this instance.
The drawings include a kitchen in the playroom which is questionable.	Noted and agreed. The amended plans have removed the 2 nd kitchen of the playroom.
The party wall act has not been followed, the applicant has carried out works without neighbours' consent and has had threatening behavior.	This is a civil matter and not a material planning consideration.
The works carried out have been outside of reasonable hours.	This is an environmental health matter and should be reported to this team.
Works to the basement require structural assessment	This is not a planning matter. There is an open Building regulations application with the Council.
Other work has occurred to the building.	This is not relevant to the planning application under consideration.

8. Recommendation

That conditional planning permission be **granted** subject to the conditions listed below:

Conditions

1. Time Limit

The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Drawing numbers

The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:

Site Location Plan 1:1250

DB393-01 Rev B

DB393-03 Rev J

Reason: For the avoidance of doubt as to what has been permitted and in the interests of proper planning.

3. Materials to match

All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building. In the event of matching materials not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this Condition.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

Informatives:

IN907 Consideration of proposal in a positive and proactive manner

IN910 Building Regulations

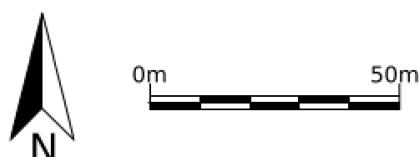
IN911 Party Wall Act

IN912 Hours of Construction

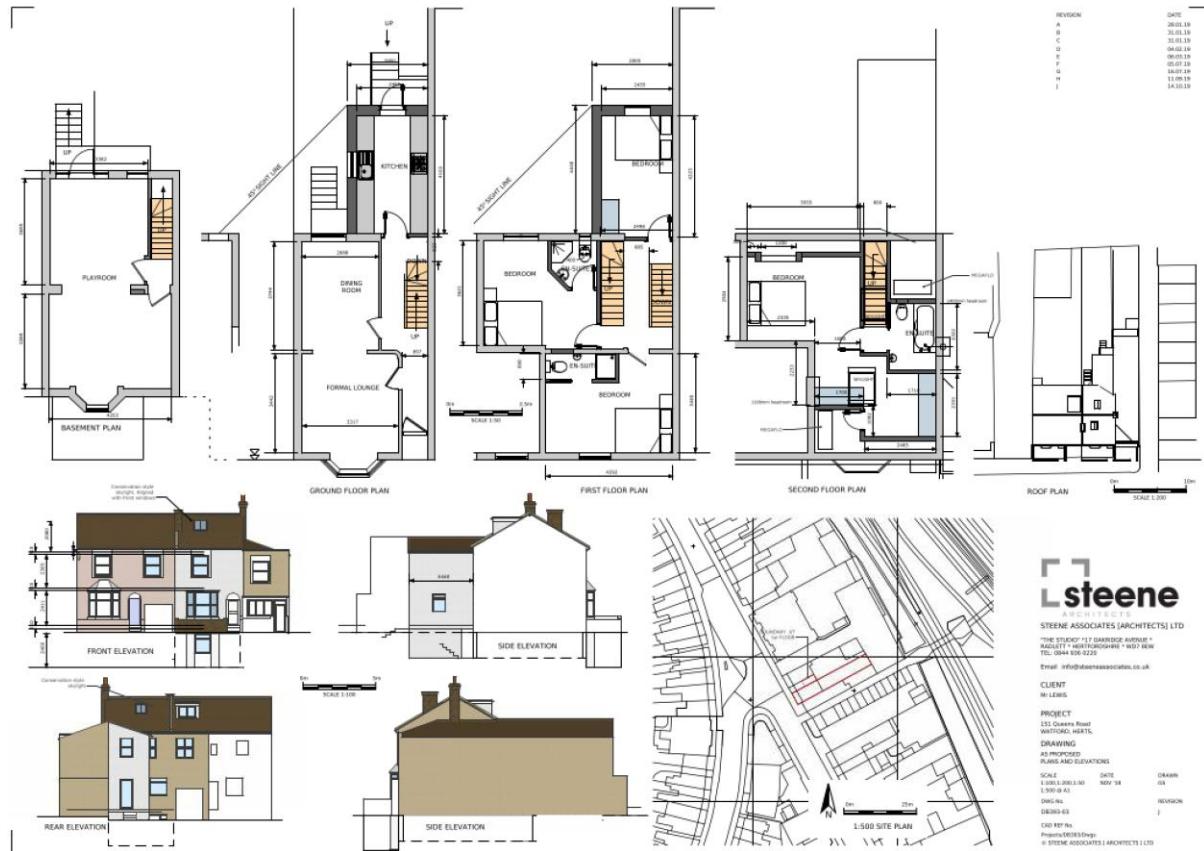
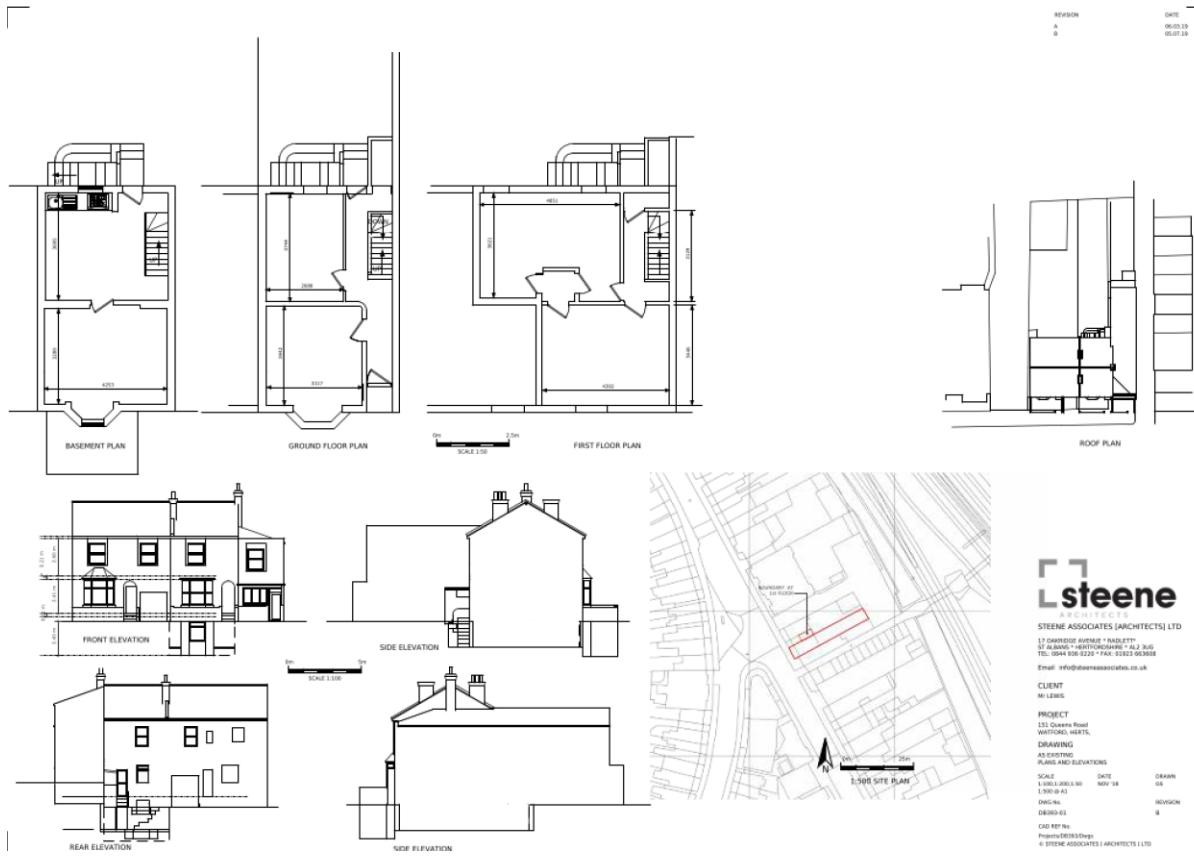
151 Queens Road



151 Queens Road
WATFORD, HERTS,



1:1250 PLAN



Committee date	Wednesday 8 January 2020
Application reference	19/00639/FULH - 29 Orchard Drive
Site address	
Proposal	Erection of rear and side extension (Amended Plans dated 31.10.19)
Applicant	Mr And Mrs Bulleid
Agent	Mrs Laura Clark
Type of Application	Householder
Reason for committee Item	6 objections
Target decision date	16.12.19
Statutory publicity	None
Case officer	Alice Reade, alice.reade@watford.gov.uk
Ward	; Park;

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 1.1 The application site comprises a two storey, semi-detached property in a street of similar properties. The property has not been previously extended and benefits from 35m rear garden.
- 1.2 The ground level changes result in a shallow slope away from the rear of the property. The site is not located in a designated conservation area or other Article 2(3) land and is not subject to an Article 4 direction.

3. Summary of the proposal

3.1 Proposal

- 3.2 Erection of a part rear, part side single storey extension. The rear extension has three steps down from internal floor level to outside ground level.

The proposed rear extension is 3.5m in depth and 8.2m wide. The side and rear extension adjacent to No. 27 Orchard Drive has a relative depth of 8.7m and is setback from this boundary by 1m (refer Drawing No. 31 Rev C). The maximum height will be 3.6 with an eaves height of 3.3m.

The rear extension is proposed to have bi-fold doors, fenestration to match

and obscured windows along the east flank, and a roof light. The proposed enlargement will be constructed in materials to match and will provide a larger kitchen and living area.

3.3 Conclusion

- 3.4 The site is in a residential area where the buildings have been subject to extensions and alterations and the principle of extensions is therefore considered acceptable.
- 3.5 The scheme has been subject to a number of revisions to overcome the planning officer's concerns with the depth from the original rear wall of the proposed extension.
- 3.6 Subject to conditions as set out in the report, the proposed extension is not considered to have a significant impact on the amenities of the adjoining occupiers. The scale and design of the proposed extension is considered appropriate for this site and it will have an acceptable visual impact on the character and appearance of the area.

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 None

6. Main considerations

- 6.1 The main issues to be considered in the determination of this application are:
 - (a) Scale and design
 - (b) Impact on surrounding properties
- 6.2 (a) Scale and design
 - 1. Policy UD1 of the Watford Local Plan Core Strategy 2006-31 seeks high quality design in all new development. Paragraph 8.2 of the Residential Design Guide (RDG) states that extensions must respect the character and scale of the host building. Among other things, it states that an extension should

complement the size, shape and character of the existing property and should normally be subordinate to it. An extension should have a roof form, pitch and angle that respects that of the host property.

2. In this instance the proposed extension would be sited at the rear and side of the dwelling, and partially visible from Orchard Drive. As such, it would not detract from the character and appearance of the application property.

Paragraph 8.5 of the Residential Design Guide states (RDG), amongst other things, that rear extensions should not exceed a depth of 3.5 metres for a semi-detached house, when measured from the rear elevation of the original dwelling. The proposal would be fully compliant with this guideline. It would be comparable in terms of its height, depth and width to the extensions of neighbouring properties, it is not clear from the drawings whether the existing boundary treatments, fencing and hedging would remain but in an urban environment the visual impact of the 3.5m depth would be of an acceptable nature.

It would respect the character and scale and roof form of the host building and would appear as subordinate to the main house. It is set in 1m away from the boundary with No.27 as per guideline 8.5 b).

3. Paragraph 8.7 a) b) c) d) of the RDG states, amongst other things, that single storey side extensions should be parallel to the existing building, subordinate to the original house, it should be no wider than a third of the overall width of the extended property and be set back at least 1m from the principal building line. The proposal would be compliant with these guidelines.

When seen in this context the proposed enlargement is considered to be sympathetic to the character and appearance of the surrounding properties in scale and design.

6.3 (b) Impact on surrounding properties

The adjoining properties affected by the proposed extension would in this case be No.31 and No.27 Orchard Drive.

1. In respect of No. 31, this property is adjoined at ground level with the application property, and has no existing extensions. The proposed enlargement would marginally breach the '45 degree rule' when measured from the middle of the neighbouring ground floor windows. Paragraph 8.4.4 and paragraph 8.4.6 of the RDG states amongst other things that The Building Research Establishment Guidelines (BRE) 2011 provides guidance on acceptable and unacceptable impacts and sets out non-mandatory targets for

levels of daylight and sunlight within existing and proposed developments. The guidance states that experience has shown that single-storey rear extensions on semi-detached properties should be designed to a maximum depth of 3.5m, the degree of impact to the neighbours at No.31 would be within the acceptable tolerances, despite the minor infringement and would have no significant adverse impact on light or outlook.

2. In respect of No.27 the properties share a common boundary, this property's building line is forward of the application property the side flank comprises a garage and a kitchen door with obscure glazing. The nearest habitable room window is 5.5m away from the proposed enlargement no significant additional loss of sunlight, daylight and outlook would result to the occupiers.

On this basis, the proposed part rear, part side single storey extension is deemed acceptable in terms of residential impact and amenity.

7. Consultation responses received

7.1 There have been three rounds of neighbour consultations: on 4th June 2019, 23rd July 2019, 9th October 2019 due to drafting errors by the agent and revisions to the scheme.

7.2 Statutory consultees and other organisations

No consultations were required for this application.

7.3 Internal Consultees

No consultations were required for this application.

7.4 Interested parties

Letters were sent to 5 properties in the surrounding area. 6 letters of response have been received from 5 properties and 1 letter of representation was received in respect of the scheme. The main comments are summarised below, the full letters are available to view online:

Loss of light and tunnelling, over development, loss of privacy, drains and manhole location, fence panel and boundary treatments, negative changes to the front elevation of the property, drafting errors, patio construction, and loss of property value.

Objection comments	Officer response
Loss of light / tunneling	This is considered in Paragraph 6.2 and 6.3 of the report.
Over development	This is considered in Paragraph 6.2 of the report.
Loss of privacy	This is considered in Paragraph 6.3 of the report.
Drains and man hole location	This is not a material planning consideration there are controls outside the planning system, Thames Water would require the owners to enter into an agreement.
Fence panel / boundary treatments	This is not a material planning consideration, The Party Wall Act etc. 1996 provides control outside the planning system.
Negative changes to the front elevation of the property	The proposal is principally for changes to the rear of the property, the single storey side extension is set back 3.5m from the established front building line and set in from the site boundary and subordinate to the original dwelling in the street scene. It replaces a wider wood and corrugated plastic sheet lean-to structure and is considered to improve the appearance of the dwelling and is compliant with the residential design guide.
Drafting errors in the plans	Noted, revised and amended drawings correcting errors have been submitted.
Construction of a patio or decked area if this plan were to be approved.	This is not under consideration in this application and would be subject to additional planning permission if a patio or decked area exceeded 0.3m in height.
Loss of property value	This is not a material planning consideration.

8. Recommendation

That planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building.

Reason: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

3. The development shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority: Drawing nos.

019-_122 REVG-001 LOCATION LAYOUT
019-_122 REVG-002 SITE LAYOUT
019-_122 REVG-100 EXISTING GROUND FLOOR
019-_122 REVG-115 PROPOSED ROOF PLAN
019-_122 REVG-105 EXISTING ROOF PLAN
019-_122 REVG-003A BLOCK PLAN LAYOUT
019-_122 REVH-110C PROPOSED GROUND FLOOR
019-_122 REVH-300 EXISTING REAR ELEVATION
019-_122 REVH-301 EXISTING SIDE ELEVATION
019-_122 REVH-302 EXISTING FRONT ELEVATION
019-_122 REVH-310A PROPOSED REAR ELEVATION
019-_122 REVH-311C PROPOSED SIDE ELEVATION
019-_122 REVH-312A PROPOSED FRONT ELEVATION
019-_122 REVH-313 PROPOSED PARTY ELEVATION

Reason: For the avoidance of doubt and in the interests of proper planning.

4. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (and any order revoking and re-enacting that order) no additional ground floor windows or doors shall be inserted in the north-western side elevation or the north-eastern side elevation of the extensions hereby permitted.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring premises.

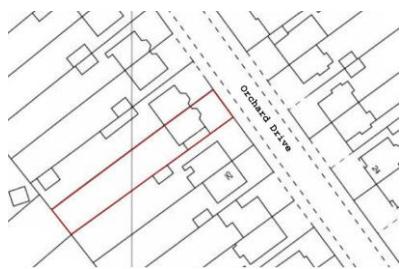
5. Notwithstanding the approved plans, no permission is granted for any raised terrace/patio adjacent to the rear extension.

Reason: No details have been provided for a patio and therefore has not been assessed or consulted on.

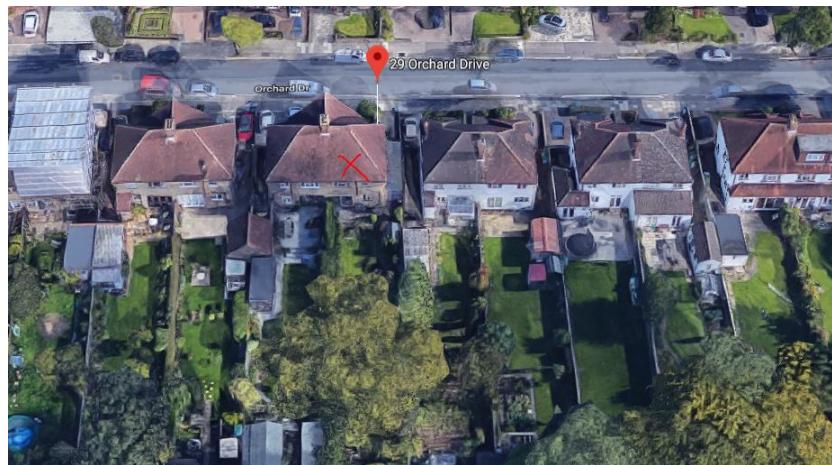
Informatics:

1. Positive and proactive handling of application.
2. Building Regulations
3. Party Wall Act
4. Hours of Construction
5. Officer's report

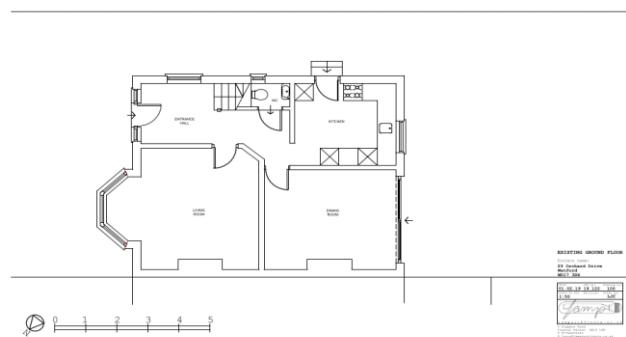
1. Site location



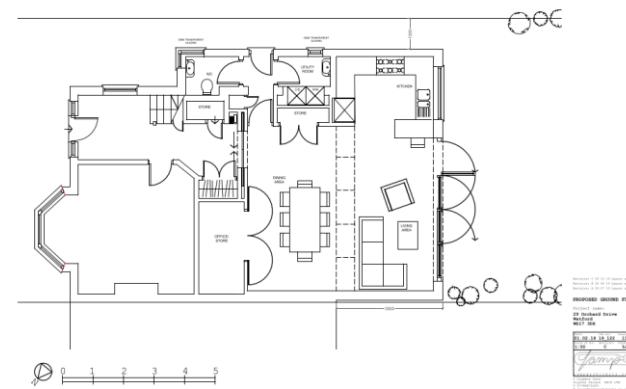
2. Aerial view (Google maps)



3. Existing plans



4. Proposed plans



5. Existing rear elevation

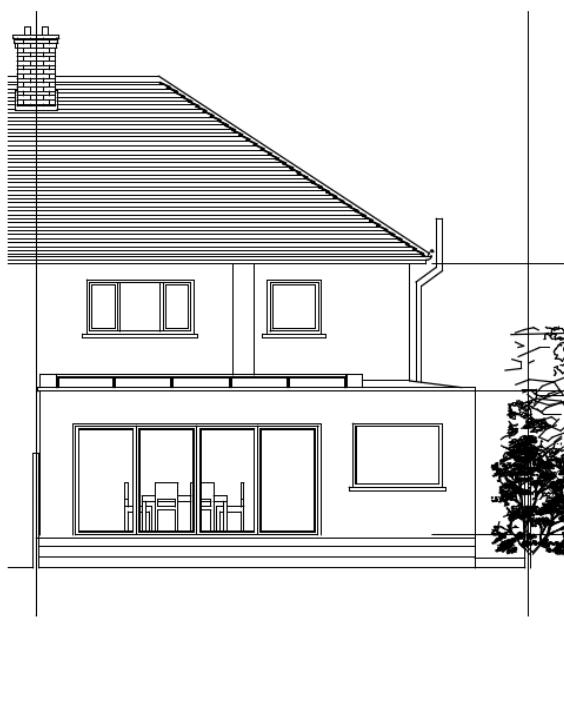
All dimensions in
millimetres
All dimensions to be
checked on site
© Lamp Architects



EXISTING REAR ELEV.		
Project name:		
29 Orchard Drive Watford WD17 3DX		
Date:	Job No.:	Drawn:
01.02.19	100-0001	30
Name of Ref: <u>Reverend</u> Drawn by: <u>LJ</u>		
		
APPROVALS/CHANGES/REMARKS		
3 Coopers Field Crystal Palace SE19 1TB 07768471333 www.coopersfield.com info@coopersfield.com		

6. Proposed rear elevation

All dimensions given are
millimetres
All dimensions to be
checked on site
© Lamp Architects



Revisions A & B CT 19	Updated
PROPOSED REAR ELEV?	
Project name:	
29 Orchard Drive	
Watford	
WD17 3DX	
Date: 01.02.19 19 122 31	
Architect: Name: Date: 1:50	
 Stamp RECEIVED BY POSTMAN	
1 Coopers Yard Crystal Palace SE19 1TH	
London, UK	
E: lisa@lisaarchitects.co.uk	

Agenda Item 7

Committee date	Wednesday, 8 January 2020
Application reference	19/00835/FULM
Site address	Former Lloyds Bank, 99 St Albans Road, Watford
Proposal	Demolition: Complete removal of the existing building and associated boundary walls to the north and south. Change of use: To develop a mixed use scheme, maintaining an A2 use and adding A3 and C3. Proposed coffee house, estate agent to the ground floor. The remaining floors will house 21 flats - 10 x 1 bed 2 person and 11 x 2 bed 4 person.
Applicant	Fairfield Estate Agents
Agent	Sixfootstudio LLP
Type of Application	Major Full Planning Permission
Reason for committee Item	Major Application
Target decision date (Agreed Extension)	10 th January 2020
Statutory publicity	Press Advert and Site Notice published 26 th July 2019. Neighbouring properties consulted 18 th July 2019
Case officer	Obafemi Okusipe, obafemi.okusipe@watford.gov.uk
Ward	Nascot

1. Recommendation

That planning permission be refused as set out in Section 8 of this report.

2. Site and surroundings

2.1 The proposal relates to a building which comprises a former bank with car parking area to the rear. This art-deco style building with Neo-Georgian influence was built in 1928. The building is located in a prominent position at the junction of Langley Road and St. Albans Road. The building is locally listed with interesting detailing and a unique appearance and makes a positive contribution to the character of the area. The particular feature of the building includes:

- the banking hall to the front which is a double height single storey building of multi-coloured brick, with a two storey rear extension. The entrance has broad moulded stonework around double wooden doors, with stone steps and top light.
- there is stone banding across the building's main elevations. Three large timber sliding sash windows are located on each of the street elevations. These are topped by gauged brick jack arches, with the central keystones painted white, and have stone sills. The roof is hipped and of tiles. It is

located behind a brick parapet, with a flat roof to the rear.

- 2.2 Despite its age and degree of neglect the building retains its original appearance albeit - its architectural composition has somewhat been compromised by modern fascia signs on both elevations. The building was last used as a bank for which it was built. The upper floor provided ancillary offices or residential accommodation for the banking staff. However, the bank has been vacant for some time and now suffers a degree of disrepair.
- 2.3 The car park to the rear of the bank is accessed via Langley Road. Immediately to the west of the site, adjacent to the car park, there is a single storey electric sub-station structure. Beyond this electric substation there is a terrace of 2 storey Victorian buildings where the ground floors are used for commercial purposes the upper floors are in residential use. To the south of the building, there is a service road which provides access to the rear of the shops fronting onto Langley Road.
- 2.4 The building is within Nascot Conservation Area, and within the designated Local Shopping Frontage under the Watford Local Plan Proposals Map. This is a sustainable location where there is good access to bus routes and a range of facilities offered by the shopping centre. The building is also within 200m of Watford Junction Station which provides rail services to London Euston. The character of the conservation area is chiefly drawn from its variety of historic residential or commercial buildings. The area within the vicinity of the site is fairly mixed. The frontage onto St Albans Road is of a commercial character, where buildings front straight onto the pavement. Buildings predominantly date from the mid to late nineteenth century and are a mixture of two and three storeys high. However, the area to the west of the site gradually turns into a residential area. The buildings to the south of the site are not within the conservation area, are low key and mediocre in appearance.
- 2.5 The application site benefits from an existing planning consent (17/01104/FULM) for the redevelopment of the former Lloyds Bank site, with the retention of the front façade of the bank building to provide a mixed use scheme four storey extension on the roof for 14 residential units 12 x 1-bedroom flats and two 2-bedroom flats on the first to fourth floor (Class C3) and retail units (Class A1 and/or A2 and/or A3 uses,) on the ground floor, with associated cycle parking, car parking, and public realm improvements.
- 2.6 The existing building is a locally listed building and located in a designated conservation area. Further information is available in the appendices to the report and on the council's website.

3 Summary of the proposal

3.1 Proposal

- 3.2 The proposal involves the redevelopment of the entire site, which involves total demolition of the existing locally listed building and the construction of a new 8 storey building providing 21 residential (10no. 1 bed/2person and 11no. 2 bed/4person) flats on upper floors and Class A1 and A2 uses (a coffee shop – 69.95m² and estate agents – 70.4m²) at ground floor. The proposal would also incorporate a residential lobby – 70.35m², amenity space, residential and café refuse storage, cycle storage, plant and planting bed at ground floor level. The proposal will provide 1no. disabled parking space and access to the refuse storage space will be from the service road to the side of the building. The application has been supported a Heritage Statement and Design and Access Statement.
- 3.3 The applicant has undertaken pre-application through MARF and informal discussions since the 2017 (17/01104/FULM) application was refused. The scheme has been influenced by comments on the previous application that was allowed on appeal.

3.4 Conclusion

- 3.5 The redevelopment of the entire site to provide 21 new dwellings on this site, providing a net increase of 21 residential flats dwellings, accords with Policies HS1 and HS2 and while the provision of Class A1 and A2 uses are acceptable in principle. The design of the proposed flats is also considered acceptable within a residential area and the siting of the building will ensure that they will have no significant adverse impacts on surrounding residential properties. The proposed development would provide good quality accommodation and a high level of amenity for future occupiers.
- 3.6 The proposed development would not provide any affordable housing which is not in line with Policy HS3 of Watford's Local Plan Core Strategy 2006-31. However, the economic viability assessor appointed by the council has advised that it would not be viable for on-site affordable housing or a commuted sums contribution to be made in this case. Notwithstanding this, paragraph 64 of the National Planning Policy Guidance requires at least 10% of shared ownership units for any major planning application for new residential dwellings. There are exemptions to this requirement but the development proposal does not meet any of these.

- 3.7 The proposed development would result in the total loss of the locally listed building and would harm the Nascot Conservation Area. Consequently, the proposed development would detrimentally impact on the heritage asset with the harm outweighing any benefits. In addition, the proposed development fails to enhance the character and appearance of a locally listed building, the setting of a conservation area, the character and appearance of a heritage asset and the conservation area. The proposal is considered to be contrary to Policy UD2 of the Watford's Local Plan Core Strategy 2006-31 and due to the loss of the locally listed building and not preserving or enhancing the conservation area. Taking the above into account, there are considered to be adverse effects that outweigh the public benefits of the proposal and therefore it is recommended that the application should be refused. [paragraphs](#)

4. Relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application is determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 Planning application 17/01104/FULM for The redevelopment of the former Lloyds Bank site, with the retention of the front façade of the bank building to provide a mixed use scheme four storey extension on the roof for 14 residential units 12 x 1-bedroom flats and two 2-bedroom flats on the first to fourth floor (Class C3) and retail units (Class A1 and/or A2 and/or A3 uses,) on the ground floor, with associated cycle parking, car parking, and public realm improvements was refused on 17.5.18 and allowed on appeal.

6. Main considerations

- 6.1 The main issues to be considered in the determination of these applications are:
- Principle of Development
 - Housing
 - Impact on heritage and character and appearance of the area
 - Quality of the new building provided
 - Impact upon the amenities of the adjoining residential properties
 - Transportation, access and parking
 - Other Matters

6.2 (a) Principle of development

- 6.2.1 The site is within the Nascot Conservation Area and the site has a locally listed building located on it, both of which must be taken into consideration in any redevelopment of the site.
- 6.2.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 11 of the NPPF states that "plans and decisions should apply a presumption in favour of sustainable development" by granting planning permission unless:
 1. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 6.2.3 The presumption in favour of sustainable development is supported by Watford Borough Council's Core Strategy Policy WBC 1 in a local policy context. It emphasises that the council will take a positive approach to considering development proposals which reflect the presumption in favour of sustainable development in line with relevant policies and paragraphs within the NPPF. Subject to these relevant paragraphs, the principle of redevelopment on the site is considered acceptable.

6.3 (b) Housing

- 6.3.1 Policy HS2 gives guidance on housing mix and states the council will seek a mix of housing types based on the Strategic Housing Market Assessment. The proposal provides no.10 x 1 bed 2 person and no. 11 x 2 bed 4 person, which does not meet this policy but due to the lack of a 5 year housing supply could not be justified to refuse the application.
- 6.3.2 The proposal does not provide 35% affordable housing in accordance with Policy HS3 and therefore a viability assessment has been submitted as part of the application. The viability has been reviewed by an independent viability consultant (Aspinall Verdi) and their report is available to view on council's website.
- 6.3.3 Aspinall Verdi stated in their financial viability assessment that based on the assessment, the scheme cannot afford to deliver any affordable housing

required by planning policy. However, the financial viability assessment recommended a review mechanism upon completion of the project based on current Bench Land Value and profit. The details of the Bench Land Value applied, the profit and other cost variables are stated in Aspinall Verdi's financial viability assessment and the s106 agreement. Notwithstanding this, as previously highlighted, the NPPF requires 10% of new housing for major schemes to be provided as shared ownership. This means that as a minimum (2.1 rounded up to 3) 3 of the units should be shared ownership. This has not been offered as part of the proposal, contrary to paragraph 64.

- 6.3.4 Notwithstanding the viability assessment, a review mechanism in a s106 and compliance with paragraph 64 of the National Planning Policy Framework has not been agreed.

6.4 (c) Impact on heritage and character and appearance of the area

The proposed site is located within Nascot Conservation Area and the application building is on the council's list of architecturally significant buildings. Hence, any development on the site should respond to the historic and architectural significant of the area and the locally listed building.

- 6.4.1 The application site is within a mixed-use area of generally commercial on St Albans Road and residential along Langley Road. The existing building is sited between 2 storey buildings on St Albans Road to the south and Langley Road to the west. This area developed during the Victorian era and is characterised by domestic scale residential properties of 2 and 3 storeys typical of their era in respect of design and materials. They are of a traditional design incorporating many features seen in the locality, including sash style windows, stone sills, lintels and mullions, and parapet walls at roof level. The proposed development is an 8 storey building with roof gardens.
- 6.4.2 The application property is a single storey brick building with two storey extension with hipped roof made of tiles and the extension is flat. The application property is of multi-coloured brick with a two storey extension. The entrance has broad moulded stonework around double wooden doors with stone steps and top light. Three large 9 over 9 wooden sliding sash window to each street elevation, topped by gauge brick jack arches, with the central keystones painted white, stone sills. The roof is hipped and of tiles, behind brick parapet with flat roof to rear. Overall, the design of the proposed development is acceptable and appropriate for the application site. However, the proposed materials do not reflect those found in the surrounding area and include yellow stock facing brick, fibre cement slate tiles, cast stone lintels and sills and white uPVC windows.

- 6.4.3 The Nascot Conservation Area largely retains its Victorian character and through its surviving urban form and architectural detail. The key difference between this area and many other areas of Watford that date from the nineteenth century relates to the notable variety of architectural styles displayed and the diversity of the detailing evident on the buildings.
- 6.4.4 The significance of the conservation area also lies in part with the fact that most of it was constructed during a relatively short time span so that there is a coherence to the historic and aesthetic value and to the structure of the urban area; such as the role of St Albans Road as a commercial street and the presence of local land mark buildings at key locations.
- 6.4.5 In conservation areas, the demolition of the buildings generally requires consent. In assessing whether a building should be demolished or retained, the historical and architectural merit of the building, referred as “asset’s value” should be sufficiently appraised.
- 6.4.6 In this case the building emerged after the Victorian Era, a period where banks were the sign of economic prosperity and the bank buildings were accordingly constructed to generally impress the wealth associated the financial establishments.
- 6.4.7 Given the location, the architecture of the building responded to the corner location using a style which sought to draw attention by providing a building incorporating a double height ground floor, oversized entrance and windows with detailing to draw the eyes attention to this key location. The particular values of the historic asset are considered to be as follows:
- a. its architectural form as a good local example of a bank building from this period – a unique Art-Deco, with element of Neo Georgian design which has remained relatively unaltered externally and does have internal details in places with particular reference to the internal banking hall;
 - b. its prominent position with the architecture responding to that location seeking to create a land mark building with significant street scene value;
 - c. its local community value as a recognisable building performing a social and commercial function in the local area and its use as a key reference point for the local community; and
 - d. the rarity of the style and type of the building in the locality.
- 6.4.8 The two heritage assets for consideration in this instance as:

- 99 St Albans Road (Former Lloyds Bank – a Locally Listed building, Local List Number 167) and
 - The Nascot Conservation Area.
- 6.4.9 The existing building is a non-designated heritage asset as defined in the NPPF. The reasons for the building's nomination on the local list are for its architectural interest and landmark and streetscape quality. The existing building has retained its significance and its internal decorative fixtures are still present, although it is currently vacant. The proposed development would result in the complete loss of this heritage asset which can only be considered harmful.
- 6.4.10 Paragraph 197 of the NPPF requires the significance of a non-designated heritage asset to be taken into account in determining the application and a balanced judgement to be made on the scale of harm or loss. The proposed development would result in the total loss of the non-designated heritage asset and therefore will result in considerable harm.
- 6.4.11 The former Lloyds Bank is noted as a building which makes a positive contribution to the Nascot Conservation Area, which underlines its significance, therefore its loss would cause considerable harm to the designated heritage asset.
- 6.4.12 It is considered that the demolition of the existing building would cause less than substantial harm to the designated heritage asset. This harm should be considered in the context of para. 196 of the NPPF which states: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'
- 6.4.13 The balance of the harm to its significance as referred in para. 196 of the NPPF, is considered in terms of the impact of the proposal on the significance of a designated asset in highlighted in para. 193. Para. 193 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'
- 6.4.14 The applicant submitted a Heritage Statement and was asked for a supplementary statement to support the proposal. These were duly

considered by independent heritage consultant (Place Service) and were considered inadequate. It is considered that the statement failed to adequately consider the significance of the Nascot Conservation Area and the non-designated heritage asset (locally listed building). However, with regard to the impact of the proposal, the applicant's Heritage Statement focussed more on viability than the impact upon the significance of the heritage asset affected as required. As such, it is considered that no meaningful conclusions can be drawn from this report with regards to the impact upon the significance of these heritage assets.

- 6.4.15 The proposed development by virtue of its scale, massing, design features and proposed materials as presented in the Design and Access Statement did not consider the significance of the heritage asset by the total loss of its architectural interest, its significance and its internal decorative fixtures, landmark and streetscape quality. The loss of significance of the heritage asset is further exacerbated by the loss of its positive contribution to the conservation area, its connectivity to its setting and the loss of the asset value of the locally listed building. These further contribute to the adverse impact on the heritage, significance and setting of a designated conservation area (Nascot Conservation Area) resulting in less than substantial harm to the heritage asset and the designated conservation area.
- 6.4.16 The proposed development by virtue of its mixed land use nature would provide public benefits as stated by the applicant. These benefits would include job creation, financial contributions (CIL and Council Tax), housing provision but no affordable housing would be provided. However, it is considered that these public benefits are not enough to outweigh the harm to or loss of a heritage asset and designated heritage area. This position has been collaborated by Place Services (independent Heritage Consultant) in their report. Therefore, this application has failed to demonstrate how the public benefits from this project outweigh the harm to or loss of the heritage asset and a designated heritage area.
- 6.4.17 Notwithstanding the loss of the heritage asset and the harm this causes to the Conservation Area, the proposed 8 storey modern building is considered to detract from the character and appearance of Nascot Conservation Area. The proposed building, which is located at a gateway to Nascot Conservation Area, does not respond to this sensitive context with regard to its height, mass and form. Any new building in this location needs to respond to its context.
- 6.4.18 Having considered that the proposed development approach (redevelopment) resulting in the loss of heritage asset, its impacts on its

significance and Nascot Conservation Area, the cumulative impact within a wider context and the inability to provide enough evidence to demonstrate how the public benefits of this proposed development outweigh the harm it would introduce to the heritage asset and Nascot Conservation Area, it is considered that the proposed development's public benefits do not outweigh harm to or loss of heritage asset and Nascot Conservation Area. In addition, the proposal is not considered to enhance the character and appearance of the heritage asset and Nascot Conservation Area. These have been given substantial weight in this assessment.

6.5 (d) Quality of the new building provided

- 6.5.1 The Residential Design Guide (RDG) sets out various standards and guidelines to ensure that new residential development provides high quality accommodation with good levels of amenity for future occupiers. The proposed development's residential flat sizes would range from 54.3m² to 72.6m² total floor area which meet the minimum floor areas set out in the nationally described housing standards of 50m² to 70m² for 1 bed 2person bedroom and 2 bed 4persons bedroom flats respectively. Each single and double bedroom would achieve the minimum bedroom floor area of 7.5m² and 11.5m² respectively. The proposed flats would receive sufficient daylight and sunlight. Overall, it is considered all of the dwellings would provide good quality accommodation in respect of outlook, privacy and natural light.

- 6.5.2 The proposed roof garden areas for the flats would be around 200.6m² and would not meet the minimum area of 335m² (50m² + no. 19 x 15m²) for 21 flats as set out in the Residential Design Guide, 2016. However, this is considered acceptable because of the proposal's location in this part of the town centre, where the future residents will benefit from the range of services within their reach and this shortfall would not result in substantial harm to the amenities of future occupiers. In addition, the provision of 21 residential flats will on balance will be more beneficial to meet housing needs in the community than a shortfall in amenity space. Overall, considering the location and layout of the site, the orientation of the dwellings, the level of amenity for future occupiers and the size of the roof garden areas, the building would provide satisfactory high quality space and accommodation for future occupiers.

6.6 (e) Impact upon the amenities of the adjoining residential properties

- 6.6.1 The application site is not directly adjoining any residential building. There is about 13.0m separation distance to a windowed elevation of the nearest residential building at No. 101 St Albans Road and No. 2 Langley Road. The proposed development abuts an electricity sub-station to the rear and there

is no side window along the flank wall of No. 3 Langley Road, which adjoins the sub-station. The separation distance would not cause a significant loss of light or outlook to the principal rear habitable windows or garden of the neighbouring property and would not result in additional noise to the detriment of neighbouring occupiers' living conditions.

- 6.6.2 The privacy arc of rear habitable windows of neighbouring properties would not be infringed upon due to the siting of these neighbouring properties in relation to the layout of the proposed development. Therefore, it is not considered that the proposal would have substantial adverse impact on neighbouring properties of the application site to justify a refusal.

6.7 (f) Transportation, access and parking

- 6.7.1 The application site is in a highly sustainable location, within a short walk of Watford Junction Station and bus interchange about 200m to the west, the town centre and bus stops. This gives access to a wide range of rail and bus services. Further bus services are accessible on St. Albans Road, and within the town centre, together with a full range of town centre shops, services and facilities. In light of this high level of accessibility a reduced level of onsite car parking provision is proposed. The site is located within Controlled Parking Zone.
- 6.7.2 Vehicular access is provided through the alley way abutting St Albans Road. The alley way would provide access to the disable car parking space, refuse and bin store and cycle storage. The proposed residential flats have no car parking spaces. However, the proposed development includes a provision of 1 disabled parking space. Given the highly accessible location of the site, located within a controlled parking zone, this accords with saved Policy T26 of the Watford District Plan 2000 for car-free developments, subject to the future occupiers of the proposed development being totally excluded from permit and voucher entitlement of the local controlled parking zone. This is necessary in order to ensure that future residents will not be entitled to parking permits or vouchers, thereby preventing any additional on-street parking on the surrounding roads. This is consistent with saved Policy T26 of the Watford District Plan 2000.
- 6.7.3 The proposal will also incorporate safe and secure cycle storage space within the building which accords with the sustainable transport objectives in saved Policy T10 of the Watford District Plan 2000. The bin storage bins will also be located within the building on the ground floor with vehicular access from the service road for collection. The Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to

conditions.

6.8 Other Matters

- 6.8.1 The proposed drainage strategy is based upon permeable paving and underground attenuation tank storage and discharge into Thames Water surface water sewer. The drainage strategy has been approved by the County Council as the Lead Local Flood Authority. A condition requiring the submission of a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles should be attached to any grant of planning permission.
- 6.8.2 The applicant has highlighted that there is an existing planning consent (17/01104/FULM) allowed on appeal which proposes to retain part of the heritage asset. Informal discussions with planners and the Major Applications Review Forum (MARF) were positive, thorough and have generated useful contributions to this project. This included the generation and consideration of several design options at different stages of the pre-application process. The Applicant stated that there were comments from MARF in 2018 in favour of redevelopment of the existing heritage asset, hence the scheme was revised.
- 6.8.3 Several officers have been involved in this lengthy negotiation process. The Conservation Team stated in their final comment that the Applicant needs to demonstrate how the public benefits of the proposed development outweigh the harm to or loss of heritage asset and Nascot Conservation Area. This necessitated the submission of a Heritage Statement by the Applicant which was assessed by Places Services (an independent heritage consultant undertaking work for the local planning authority). Place Services found the Heritage Statement and supplementary information inadequate.

6.9 s.106 planning obligation and CIL

- 6.9.1 The proposed development is CIL liable.
- 6.9.2 The development proposed in this application is one where, in accordance with saved Policy T26 of the Watford District Plan 2000 and Policy INF1 of the Watford Local Plan Part 1 Core Strategy 2006-2031, the Council will normally require the applicant to enter into a planning obligation which provides for a financial contribution towards the variation of the Borough of Watford (Watford Central Area and West Watford Area) (Controlled Parking Zones) (Consolidation) Order 2010 to exclude future residents of the development from entitlement to resident parking permits and vouchers for the controlled

parking zones in the vicinity of the application site. It is necessary to amend the traffic order so as to exclude the occupiers of the development from any entitlement to claim permits for the local Controlled Parking Zone because otherwise the proposed development would be likely to give rise to additional vehicles parking on local streets, thus worsening traffic congestion which would be a reason to refuse planning permission.

- 6.9.3 The proposed development is also one where Hertfordshire County Council, in pursuance of its duty as the statutory Fire Authority to ensure firefighting facilities are provided on new developments and that all dwellings are adequately served by fire hydrants in the event of fire, seeks the provision of hydrants required to serve the proposed buildings by means of a planning obligation. The requirements for fire hydrant provision are set out within the County Council's *Planning Obligations Toolkit* document (2008) at paragraphs 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.
- 6.9.4 The contribution that would be sought by the Council towards the amendment of the Controlled Parking Zones Traffic Regulation Order and the County Council's requirement for fire hydrants meet the tests in Regulation 122 of the Community Infrastructure Regulations 2010, and, consequently, these planning obligations can be taken into account as material planning considerations in the determination of the application. Both the Council's approach to seeking the provision of fire hydrants by means of planning obligations are also fully in accordance with the advice set out in paragraphs 203 to 205 of the National Planning Policy Framework. The Council's contribution in the case of the development proposed in this application is £2,000.
- 6.9.5 In addition to the above, the provision of 10% shared ownership flats (3) and a viability review mechanism would also be required as part of the s106. However the applicant has not agreed to provision of 3 shared ownership flats or a review mechanism.

7. Consultation responses received

7.1 Statutory consultees and other organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response

Hertfordshire County Council (Highway Authority)	The Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions.	Noted
Hertfordshire County Council Growth and Infrastructure Unit	Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Watford's CIL Zone and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, the Unit reserves the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.	Noted
Hertfordshire County Council (LLFA)	The drainage strategy is based upon tanked permeable paving and discharge into Thames Water surface water sewer. The LLFA note surface water calculations have been provided and ensure that the drainage strategy caters for all rainfall events up to and including 1 in 100 plus 40% for climate change with 5 l/s discharge to surface water sewer. The LLFA therefore recommend conditions to be attached should planning permission be granted.	Noted
Hertfordshire County Council Growth and Infrastructure (F & RS)	Based on the information provided to date, the F & RS would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. F & RS reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.	Noted

Hertfordshire County Council (Economic Development)	<p>It is recognised that an earlier planning application (17/01104/FULM and 18/00048/REF) has been approved on appeal on the site of this application. The site has historically been used for employment purposes, although it has not been occupied for a number of years. The inclusion of commercial floorspace on the ground and first floor of the proposed scheme is welcomed. Any future revision to this planning application that would seek to remove or reduce the commercial floorspace would not be welcomed.</p> <p>As with all construction projects the Economic Development Team would like to see the applicant commit to developing and delivering on a 'community investment plan' clearly setting out their position on opportunities for local people and the creation and support of a local supply chain for materials, works and services across all stages of the construction process, commensurate with the scale of planned development.</p>	Noted
Hertfordshire County Council (Minerals and Waste Team)	Minerals and Waste Team raised issues in connection with minerals or waste matters. Should the Borough Council be minded to permit this application, a number of detailed matters should be given careful consideration.	Noted
Waste and Recycling	Access would have to be via St. Albans Road and the service road will need to be resurfaced and maintained to a smooth surface.	Noted
Crime Prevention	Although Design & Safety has been listed in the DAS, it does not cover the physical security. Owing to the town centre location and associated	Noted

	crime, it is advised that the development is built to the police minimum security standard Secured by Design.	
Thames Water	No objection	Noted

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Historic Environment	Places Services (an independent heritage consultancy) assessed the Heritage Statement and supplementary information and were considered inadequate. The heritage assessment focussed on two heritage assets for consideration are 99 St Albans Road (Locally Listed building Local List Number 167) and the Nascot Conservation Area. The Heritage Statement fails to adequately consider the significance of the locally listed building and the conservation area (Nascot Conservation Area). Places Services stated that the proposed development will result in the total loss of significance to a formally identified non-designated heritage asset which can only be considered harmful. Places Services stated that there were no enough evidence to demonstrate how the adverse harm on the locally listed building and the conservation area would be outweighed by the public benefits from the proposed development.	Noted
Housing Team	Currently the affordable housing offer is not confirmed, making it difficult for the Housing Service to give clear comments. 21 Units would attract 7 units (35%) of affordable housing, 5 x affordable rented tenure and 1 x	Noted

	<p>social rented tenure and 1 x LCHO. The Housing Team is willing to work on habitable rooms. Assuming each 1 bed has 2 habitable rooms and each 2 bed has 3 habitable rooms the site has 53 habitable rooms, 35% of which would be 18 habitable room, or 6 x 2 bed rooms units. These could be 1 social rented 5 x affordable rented tenure, essentially removing the 1 x LCHO unit or possible off-site affordable housing contribution (commuted sum). No affordable housing is offered for this project.</p>	
Environmental Health Team	<p>Unable to locate a noise survey so do you know if one was provided? Also, this site is in close proximity to nearby food businesses where primary cooking takes place and so Odours/ smoke from kitchen extracts have been considered. However, after checking distances on our mapping system, there ought to be sufficient distance for there not to be an issue.</p>	<p>An A1 café is proposed and not a restaurant. Therefore, the issues of odours/smoke and noise are not applicable.</p>

7.3 Interested parties

- 7.4 Letters were sent to 63 properties in the surrounding area. Letters of objection have been received from 25 properties. The main comments are summarised below, the full letters are available to view online:

Comments	Officer response
Overdevelopment and overbearing	These issues have been addressed in the report
Loss of outlook, privacy and light	These issues have been addressed in the report
Pressure on car parking	This is a sustainable location, and the site is a short distance from Watford Junction Station and its bus interchange, there are also bus routes as well as range of services in the local shopping centre. It is in a highly accessible location where car free development is appropriate and acceptable in principle.
Too many	The existing commercial uses are located within a shopping

commercial uses in the area	centre where these uses are considered to be suitable.
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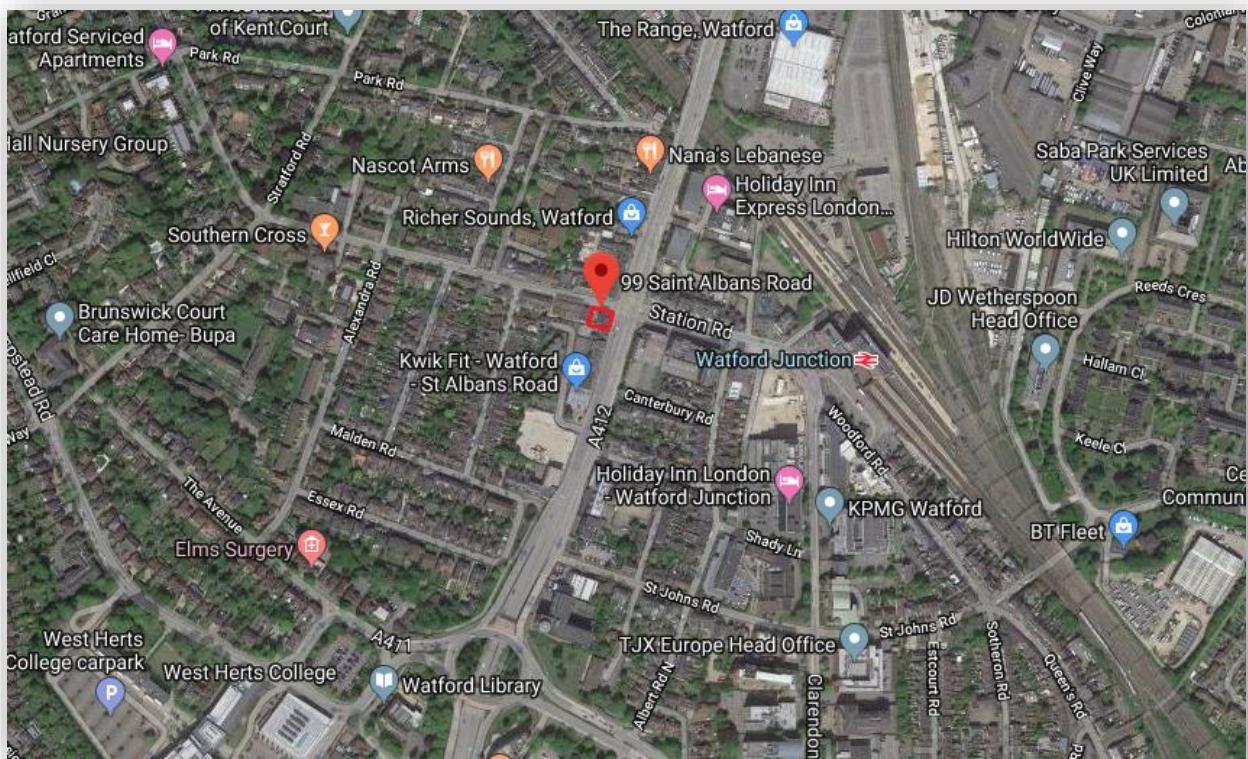
8. **Recommendation**

That planning permission be refused subject to the following reasons:

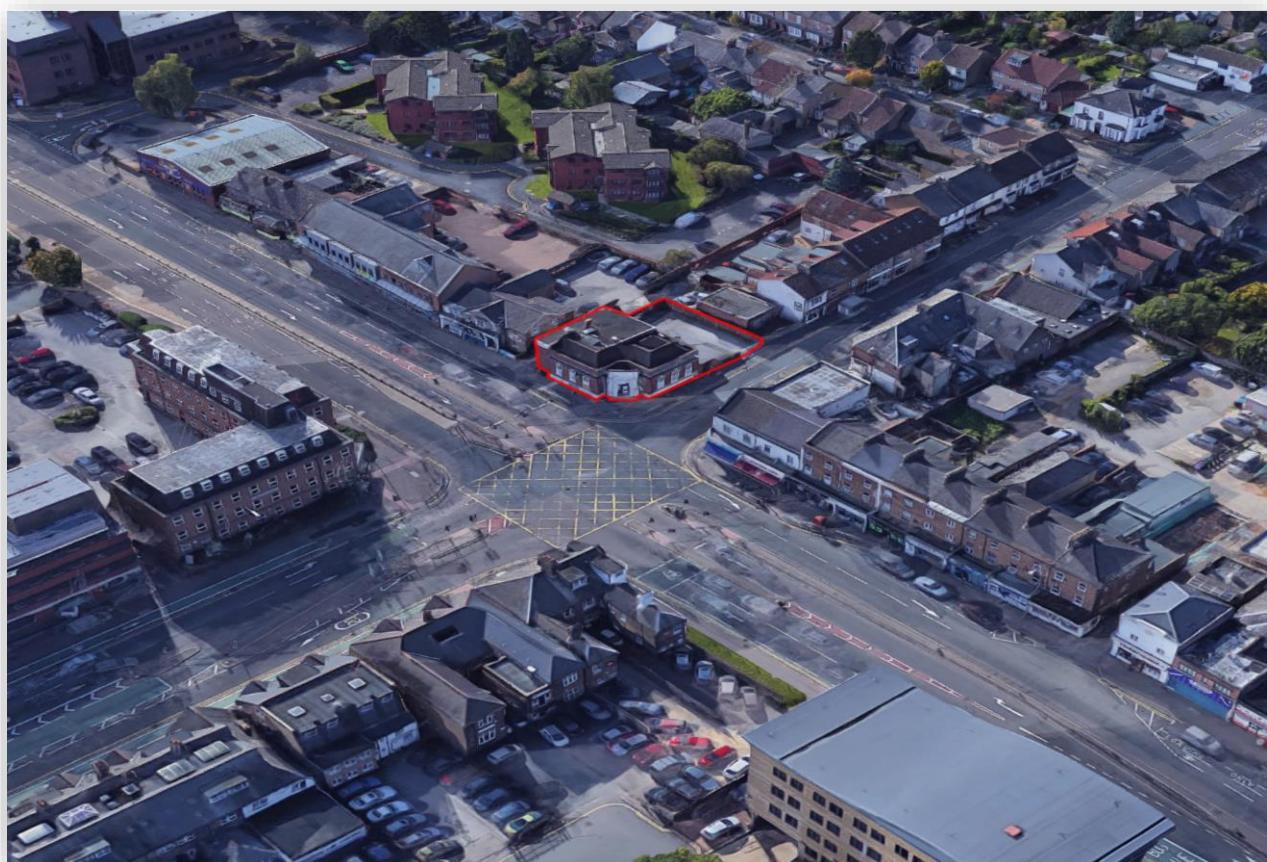
1. The proposal, due to the loss of the locally listed building and impact on the Nascot Conservation Area, fails to appropriately preserve or enhance the character and appearance of the Nascot Conservation Area and non-designated heritage asset. Furthermore, there is not enough evidence to demonstrate how the benefits of this proposal outweigh the harm or loss of the non-designated heritage asset and the designated heritage area. It would therefore be contrary to Policies SS1, UD1 and UD2 of the Core Strategy and paragraphs 127, 130, 131, 189, 193, 196 and 197 of the National Planning Policy Framework. In accordance with paragraph 11 (d) (ii) of the Framework, the adverse impacts would significantly and demonstrably outweigh the benefits of the development.
2. The proposed development makes no provision for affordable housing and shared ownership housing and no s106 agreement has been completed to secure a viability review upon completion of the development. Consequently, the proposal is not in accordance with Policy HS3 of the Watford Local Plan Core Strategy 2006-31 and is contrary to para. 64 of the NPPF in relation to affordable housing provision.
3. It is necessary to exclude the proposed development from the local controlled parking zone in order to ensure that future residents will not be entitled to resident parking permits, thereby preventing any additional on-street parking demand on the surrounding roads. No s106 agreement has been completed to secure this. As such, the proposal is contrary to 'saved' Policies T24 and T26 of the Watford District Plan 2000.

19/00835/FULM - 99 St Albans Road, WD17 1QB

Location Map



Aerial View



Site and Context Appraisals

2.0

Site + Context Appraisal

2.7 Landmark Gateway to Nascot Conservation Area

Located on the corner of the Nascot Conservation Area and at an important civic junction, the bank site should enjoy sustained prominence.



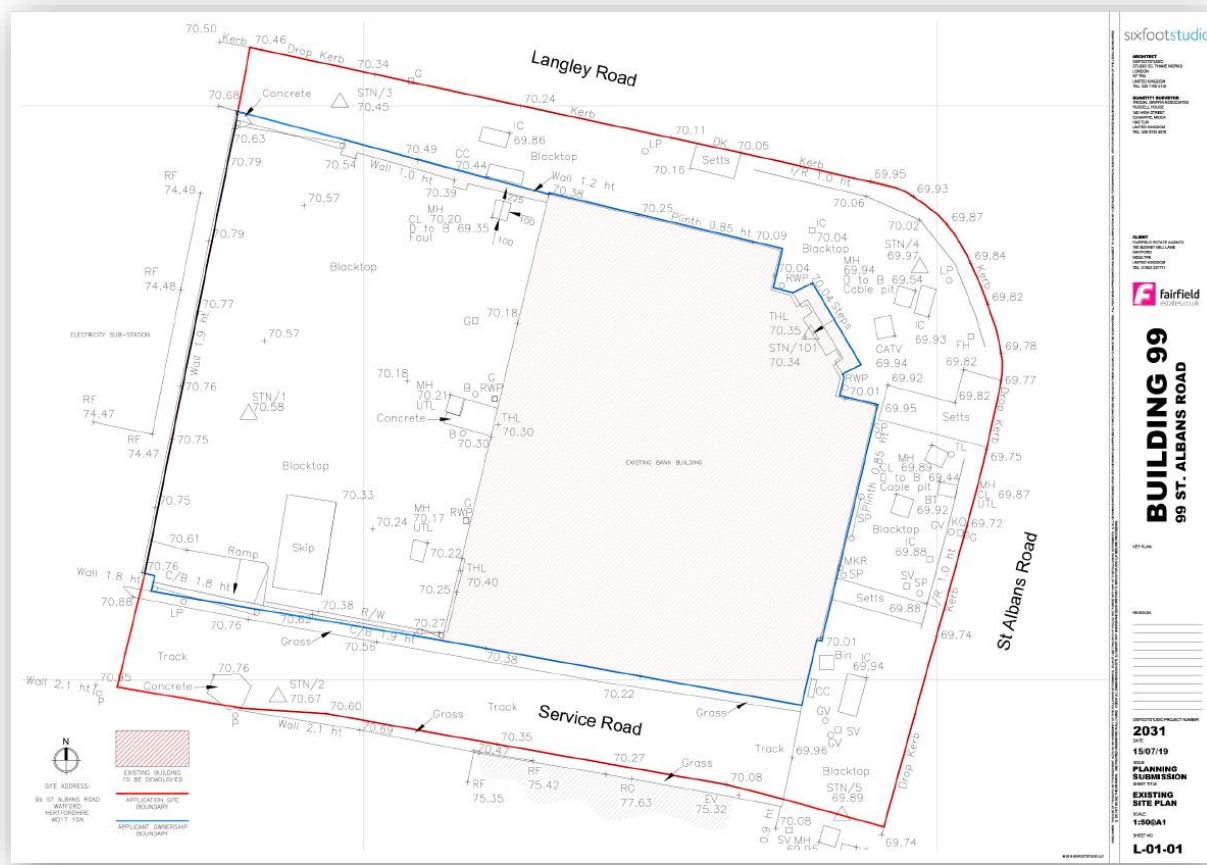
2.8 Adjacency to development zones

The east-facing strip of St Albans Road, adjacent to the application site, has many examples of sites that we would consider likely development sites in the near future (identified with a light blue colour).

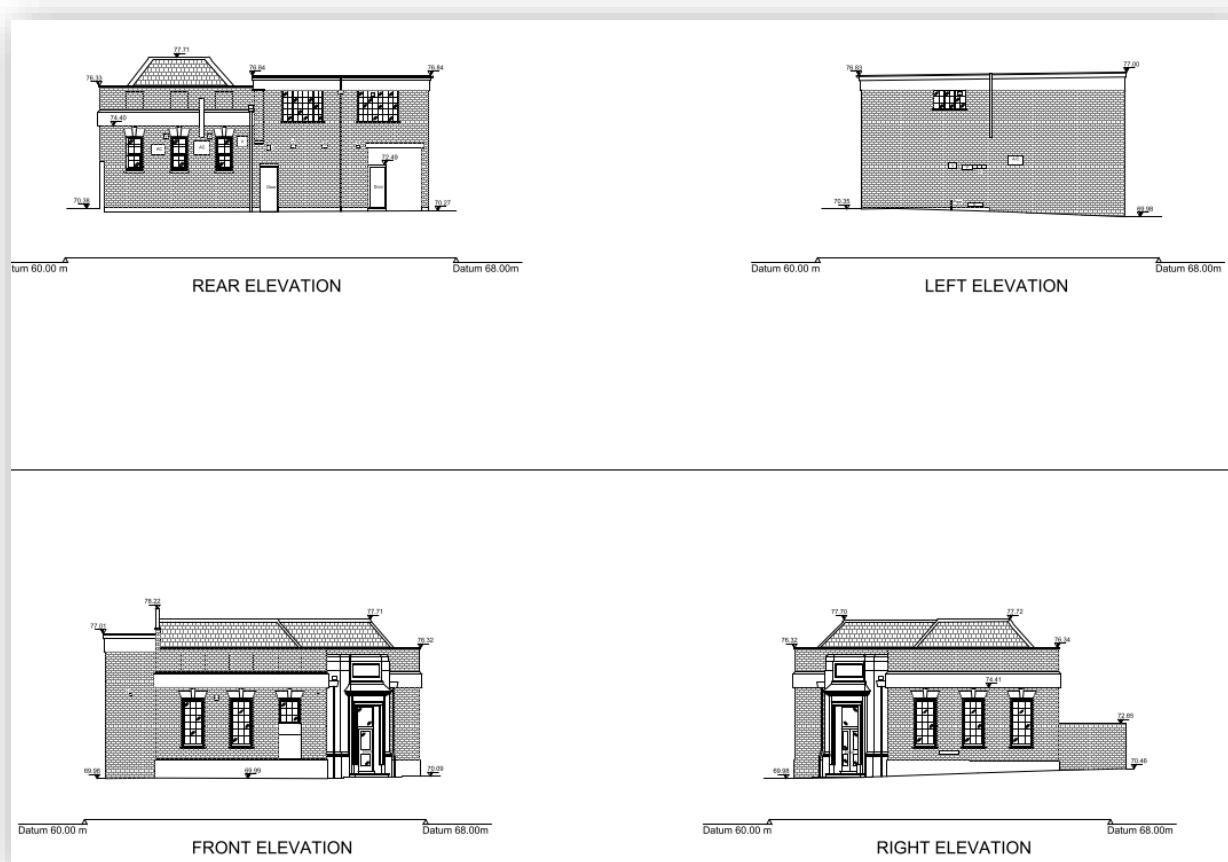
This is relevant in the context of maintaining the site's prerogative as civic landmark both to this junction and the wider street scene.



Existing Site Plan



Existing Elevations



Existing View1



Existing View2



Existing View3



Existing View4



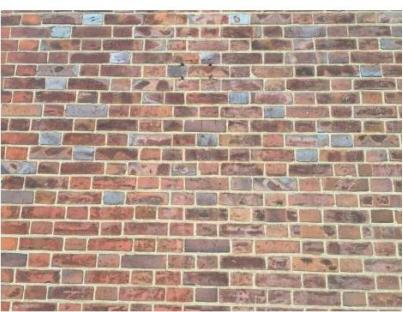
Character and Appearance of the Locally Listed Building



Typical 'banking hall' elevation to Longley Road + St Albans Road



Front door



Multiple colours found in the brickwork



Rear elevation of 'banking hall' facing the car park



Rear elevation of the extension

Character and Appearance of the Area



Site A



Site B



Site C



Site E



Character and Appearance of wider area in Nascot Conservation Area

2.5 Reflecting The Nascot Conservation Area

The Nascot Conservation Area is home to numerous architectural styles, including Nationally Listed structures from the mid-late periods of the 19th Century. The most significant buildings stand alone, such as The Saltar's Co. Almshouses and the Church of St Andrew.

We have taken a cue from this eclectic context, in addition to engaging with the Art Deco period of the bank itself, to develop a contemporary but referential response.



Good example of a boundary wall, a feature characteristic of the area



The Saltar's Co. Almshouses - Church Road - National Listing I Grade II



Church of St Andrew - Church Road - National Listing I Grade II



Proposed Site Plan



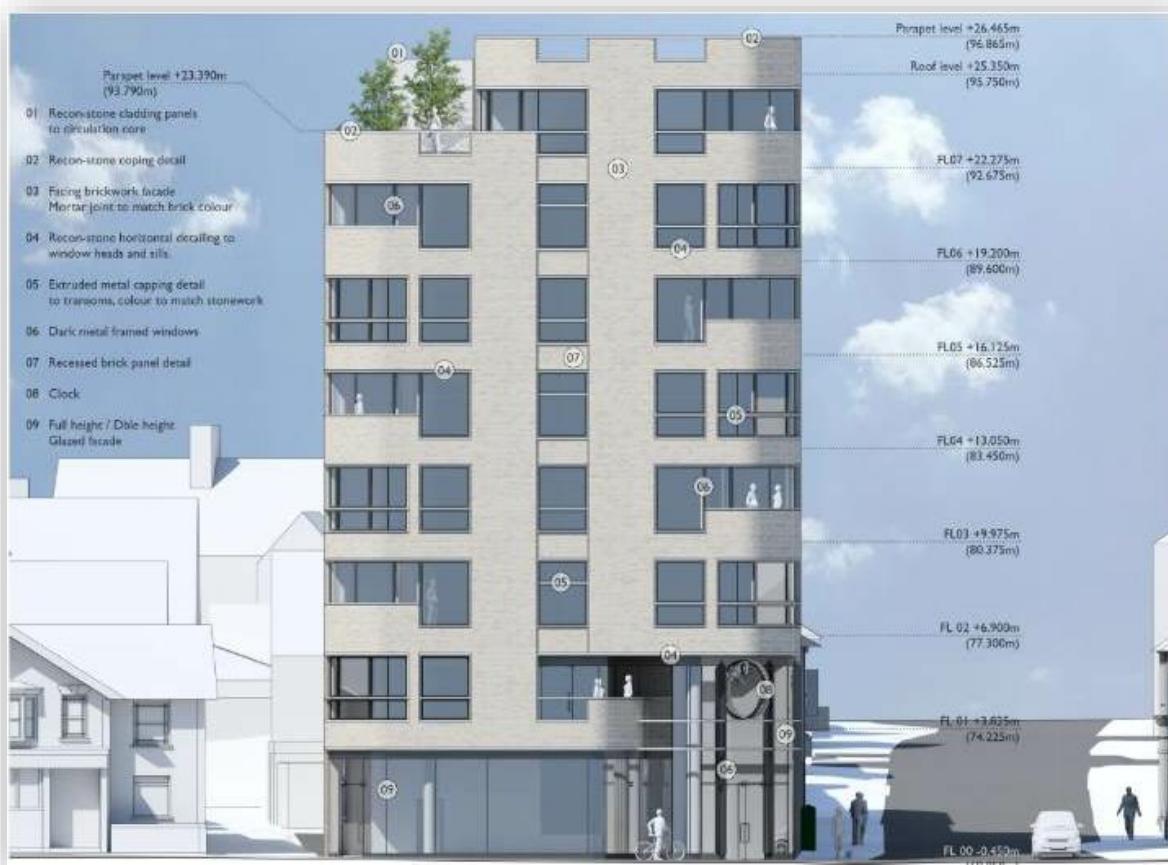
Proposed Ground Floor Plan



Proposed Elevation - North



Proposed Elevation - East



Proposed Elevation – South



Proposed Elevation – West



CGI View

